

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

_____	)	
EUGENE NICHOLAS ERMILO SANTOS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 20-335 WES
	)	
JOHNSON AND WALES UNIVERSITY,	)	
et al,	)	
	)	
Defendant.	)	
_____	)	

**ORDER**

On August 12, 2020, Magistrate Judge Lincoln D. Almond filed a Report and Recommendation ("R.&R."), ECF No. 12, which granted Plaintiff's Application to Proceed Without Prepayment of Fees and recommended that the Court dismiss Plaintiff's Complaint without prejudice. Specifically, Judge Almond determined that the Complaint is "frivolous," and "fails to state a claim on which relief may be granted." R.&R. 2. (citing 28 U.S.C. § 1915(e)(2)(B)). Plaintiff has filed an objection to the R.&R. After having reviewed the relevant papers, the Court ACCEPTS the R.&R. and ADOPTS the recommendations and reasoning set forth therein.

Accordingly, Plaintiff's Motion for a Temporary Restraining Order is DENIED AS MOOT. Further, the substantially identical Amended Complaint, ECF No. 30, also fails for the same reasons as

Plaintiff's initial Complaint. Plaintiff's Complaint and Amended Complaint are therefore DISMISSED without prejudice.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "WESmith", written over a horizontal line.

William E. Smith  
District Judge  
Date: August 25, 2020